REMARKS

Claims 1-19 are pending. The Office Action rejected claims 1, 8, 9 and 19 under 35 U.S.C. §102(a) over Suzuki (EP 0738064), and rejected claims 1 and 9 under §102(a) over Tamba (WO 97/01908). These rejections are respectfully traversed. Claims 2-7 and 10-18 were objected to as dependent on a rejected base claim, but would be allowable if rewritten in independent form.

Claim 1 recites a method comprising, in relevant part:

> a **composite sequence** of samples representative of said received signal, the **composite sequence** characterizing **phase variations and amplitude variations** of the received signal; and

> demodulating said **composite sequence** of samples.

Claim 9 recites a corresponding apparatus having similar limitations. The Office Action asserts that this feature is described in Suzuki at page 4, line 19; page 6, lines 31-37; page 7, lines 9-13; and page 8, lines 10-19. However, Suzuki only describes a demodulator that includes an amplitude and absolute phase detection unit. No composite sequence is ever created. *See, e.g.* p. 6:31-32; p. 8:10-12. Rather, the separate envelope level and phase level are used to decide the transmitted code:

> According to the present invention, furthermore, a modulation and demodulation method…includes…deciding the transmitted code from a phase difference…**and** from an amplitude ratio.

P. 7:1-13 (emphasis added); *See also* p. 6:31-37; p. 8:10-26. Suzuki fails to disclose a composite sequence characterizing phase variations and amplitude variations of the received signal and demodulating a composite sequence of samples as recited in the claims, and therefore the claims are not anticipated.

The Office Action further asserts that Tamba discloses this feature at claims 9-19 and Figs. 22 and 29. Referring to U.S. 6,130,577 as a convenient translation of WO 97/01908, claims 9-19 merely describe elements such as "a data determinator for determining received data from the output of said phase detection unit and the output of said amplitude detection unit." *See* claims 9 and 12. Similarly, Figs. 22 and 29 merely show a data determinator 5 that receives

signals from a code analyzer 4, a clock reproducer 8, and an amplitude information detector 31, and outputs demodulated data. There is no indication that the data determinator 5 creates or uses a composite sequence characterizing phase variations and amplitude variations of a received signal or that it demodulates such a composite sequence. Tamba fails to disclose each and every element of the claims, and therefore the claims are not anticipated.

Conclusion

Based on the above remarks, Applicants believe the claims are in condition for allowance. The Commissioner is authorized to charge any fees or credit any overpayment to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

Respectfully submitted,

Date: May 4, 2007   /ASKamlay/
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